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Seventy-first session
Third Committee
Agenda item 60
Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Fiji, Lithuania and Paraguay: draft resolution

Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

The General Assembly,

Taking note of Economic and Social Council decision 2016/248 of 26 July 2016 and 2017/204 of 30 September 2016 concerning the enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,

Taking note also of the request regarding the enlargement of the Executive Committee contained in the note verbale dated 20 January 2016 from the Permanent Mission of Paraguay to the United Nations addressed to the Secretary-General,[1] the note verbale dated 7 July 2016 from the Permanent Mission of Fiji to the United Nations addressed to the Secretary-General[2] and the note verbale dated 15 September 2016 from the Permanent Mission of Lithuania to the United Nations addressed to the Secretary-General,[3]

1. *Decides* to increase the number of members of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees from 98 States to 101 States;

2. *Requests* the Economic and Social Council to elect the additional members at a coordination and management meeting in 2017.

[1] E/2016/61.
[2] E/2016/78.
[3] E/2017/3.

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Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Austria, Belgium, Bulgaria, Canada, Croatia, Denmark, Finland, France, Germany, Greece, Guatemala, Hungary, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Netherlands, Norway, Poland, Slovakia, Spain, Sweden, Switzerland and Zambia: draft resolution

Office of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of his Office[1] and the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its sixty-seventh session[2] and the decisions contained therein,

Recalling its previous annual resolutions on the work of the Office of the United Nations High Commissioner for Refugees since its establishment by the General Assembly,

Expressing deep concern that the number of people who are forcibly displaced owing to, inter alia, conflict, persecution and violence, including terrorism, has reached the highest level since the Second World War,

Noting with grave concern that, despite the tremendous generosity of host countries and donors, including unprecedented levels of humanitarian funding, the gap between needs and humanitarian funding continues to grow,

Recognizing that forced displacement has, inter alia, humanitarian and development implications,

Expressing its appreciation for the leadership shown by the High Commissioner,

[1] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 12* (A/71/12).
[2] Ibid., *Supplement No. 12A* (A/71/12/Add.1).

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Commending the staff of the Office of the High Commissioner and its partners for the competent, courageous and dedicated manner in which they discharge their responsibilities,

Underlining its strong condemnation of all forms of violence to which humanitarian personnel and United Nations and associated personnel are increasingly exposed,

Reaffirming the need for consistency with international law, including international refugee law, and relevant General Assembly resolutions that may concern the work of the Office of the High Commissioner, and taking into account national policies, priorities and realities,

Recalling its resolution 46/182 of 19 December 1991 on the strengthening of the coordination of emergency humanitarian assistance of the United Nations and all subsequent General Assembly resolutions on the subject, including resolution 70/106 of 10 December 2015,

1. *Welcomes* the important work undertaken by the Office of the United Nations High Commissioner for Refugees and its Executive Committee in the course of the year, which is aimed at strengthening the international protection regime and at assisting Governments in meeting their protection responsibilities;

2. *Endorses* the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its sixty-seventh session;[2]

3. *Welcomes* the resumption by the Executive Committee of the practice of adopting conclusions on international protection, and notes with appreciation the adoption of the conclusions on youth[3] and on international cooperation from a protection and solutions perspective;[4]

4. *Recalls* the high-level segments of the sixty-fourth, sixty-fifth and sixty-sixth sessions of the Executive Committee, renews its call upon all States to provide the necessary support with a view to sharing the burden of the host countries, and underscores the critical importance of development support for host communities;

5. *Notes with appreciation* the adoption of the New York Declaration for Refugees and Migrants[5] and its two annexes at the General Assembly summit on addressing large movements of refugees and migrants, on 19 September 2016, and encourages States to implement the commitments made therein;

6. *Notes* the significant global and regional initiatives, conferences and summits undertaken in 2015 and 2016 to strengthen international solidarity with and cooperation for refugees and other persons of concern, specifically the Brussels conference on 4 and 5 October 2016, the high-level meeting on global responsibility-sharing through pathways for admission convened by the Office of the High Commissioner in Geneva on 30 March 2016, the London conference on 4 February 2016, the pledging conference in Brussels on 21 October 2015, and the

[2] Ibid., chap. III, sect. B.
[3] Ibid., chap. III, sect. A.
[4] Resolution 71/1.

World Humanitarian Summit in Istanbul, Turkey, on 23 and 24 May 2016,[6] while recognizing that this summit did not have an intergovernmentally agreed outcome, and encourages those who participated to implement their commitments made therein;

7. *Reaffirms* the 1951 Convention relating to the Status of Refugees[7] and the 1967 Protocol thereto[8] as the foundation of the international refugee protection regime, recognizes the importance of their full and effective application by States parties and the values they embody, notes with satisfaction that 148 States are now parties to one or both instruments, encourages States not parties to consider acceding to those instruments and States parties with reservations to give consideration to withdrawing them, underlines, in particular, the importance of full respect for the principle of non-refoulement, and recognizes that a number of States not parties to the international refugee instruments have shown a generous approach to hosting refugees;

8. *Urges* States that are parties to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto to respect their obligations in letter and spirit;

9. *Re-emphasizes* that the protection of refugees is primarily the responsibility of States, whose full and effective cooperation, action and political resolve are required to enable the Office of the High Commissioner to fulfil its mandated functions, and strongly emphasizes, in this context, the importance of active international solidarity and burden- and responsibility-sharing;

10. *Welcomes* recent accessions to the 1954 Convention relating to the Status of Stateless Persons[9] and the 1961 Convention on the Reduction of Statelessness,[10] and notes that 89 States are now parties to the 1954 Convention and 68 States are parties to the 1961 Convention, encourages States that have not done so to give consideration to acceding to those instruments, notes the work of the United Nations High Commissioner for Refugees in regard to identifying stateless persons, preventing and reducing statelessness and protecting stateless persons, and urges the Office of the High Commissioner to continue to work in this area in accordance with relevant General Assembly resolutions and Executive Committee conclusions;

11. *Re-emphasizes* that prevention and reduction of statelessness are primarily the responsibility of States, in appropriate cooperation with the international community, in this regard welcomes the global campaign to end statelessness within a decade and encourages all States to consider actions they may take to further the prevention and reduction of statelessness, and welcomes efforts that have been made by States in this regard;

12. *Also re-emphasizes* that protection of and assistance to internally displaced persons are primarily the responsibility of States, in appropriate

[6] See A/70/709.
[7] United Nations, *Treaty Series*, vol. 189, No. 2545.
[8] Ibid., vol. 606, No. 8791.
[9] Ibid., vol. 360, No. 5158.
[10] Ibid., vol. 989, No. 14458.

cooperation with the international community, aimed at, inter alia, facilitating voluntary safe and dignified return to their homes;

13. *Notes* the current activities of the Office of the High Commissioner related to protection of and assistance to internally displaced persons, including in the context of inter-agency arrangements in this field, emphasizes that such activities should be carried out with the full consent of the affected States, consistent with relevant General Assembly resolutions, and should not undermine the refugee mandate of the Office and the institution of asylum, and encourages the High Commissioner to continue his dialogue with States on the role of his Office in this regard;

14. *Encourages* the Office of the High Commissioner to continue to respond adequately to emergencies, in accordance with its mandate and in cooperation with States, notes the measures taken by the Office to strengthen its capacity to respond to emergencies, and encourages the Office to pursue its efforts to further strengthen its emergency capacity and thereby ensure a more predictable, effective and timely response;

15. *Also encourages* the Office of the High Commissioner to work in partnership and in full cooperation with relevant national authorities, United Nations offices and agencies, international and intergovernmental organizations, regional organizations, the private sector and non-governmental organizations to contribute to the continued development of humanitarian response capacities at all levels, and recalls the role of the Office as the leading entity of the clusters for protection, camp coordination and management and emergency shelter in complex emergencies;

16. *Further encourages* the Office of the High Commissioner, among other relevant United Nations and other relevant intergovernmental organizations and humanitarian and development actors, to continue to work with the Office for the Coordination of Humanitarian Affairs of the Secretariat to enhance the coordination, effectiveness and efficiency of humanitarian response and to contribute, in consultation with States, as appropriate, to making further progress towards common humanitarian needs assessments, as stated, among other important issues, in General Assembly resolution 70/106 on the strengthening of the coordination of emergency humanitarian assistance of the United Nations;

17. *Welcomes* the recent efforts by the Office of the High Commissioner to ensure a more inclusive, transparent, predictable and well-coordinated response, to refugees as well as internally displaced persons and other persons of concern, consistent with its mandate, and in this regard takes note of the implementation of the refugee coordination model;

18. *Takes note with appreciation* of the elements set out in the comprehensive refugee response framework contained in annex I of the New York Declaration for Refugees and Migrants,[5] and recalls the request to the Office of the High Commissioner to develop and initiate a comprehensive refugee response based on the principles of international cooperation and on burden- and responsibility-sharing, in close coordination with relevant States, including host countries, and involving other relevant United Nations entities as laid out in annex I of the New York Declaration;

19. *Underlines* the centrality of international cooperation to the refugee protection regime, recognizes the burden that large movements of refugees places on major and long-standing refugee hosting countries and their host communities, and their national resources, especially in the case of developing countries, and calls for a more equitable sharing of the burden and responsibility for hosting and supporting the world's refugees, addressing the needs of refugees and receiving States, while taking account of existing contributions and the differing capacities and resources among States, noting the need for concrete arrangements for equitable and efficient burden- and responsibility-sharing to be elaborated within the framework of the evolving global compact on responsibility-sharing for refugees;

20. *Encourages* the Office of the High Commissioner to engage in and implement in full the objectives of the "Delivering as one" initiative;

21. *Notes with appreciation* the measures taken and efficiencies gained in the process of structural and management change to reinforce the capacity of the Office of the High Commissioner, and encourages the Office to focus on continuous improvement in order to enable a more efficient response to the needs of persons of concern, including identifying unmet needs, and to ensure the effective and transparent use of its resources;

22. *Expresses deep concern* about the increasing threats to the safety and security of humanitarian aid workers and convoys and, in particular, the loss of life of humanitarian personnel working in the most difficult and challenging conditions in order to assist those in need;

23. *Emphasizes* the need for States to ensure that perpetrators of attacks committed on their territory against humanitarian personnel and United Nations and associated personnel do not operate with impunity and that the perpetrators of such acts are promptly brought to justice as provided for by national laws and obligations under international law;

24. *Strongly condemns* attacks on refugees, asylum seekers and internally displaced persons and acts that pose a threat to their personal security and well-being, and calls upon all States concerned and, where applicable, parties involved in an armed conflict to take all measures necessary to respect and ensure respect for human rights and international humanitarian law;

25. *Deplores* the refoulement and unlawful expulsion of refugees and asylum seekers, and calls upon all States concerned to respect the relevant principles of refugee protection and human rights;

26. *Urges* States to uphold the civilian and humanitarian character of refugee camps and settlements, inter alia, through effective measures to prevent the infiltration of armed elements, to identify and separate any such armed elements from refugee populations, to settle refugees in secure locations and to afford to the Office of the High Commissioner and, where appropriate, other humanitarian organizations prompt, unhindered and safe access to asylum seekers, refugees and other persons of concern;

27. *Notes with increasing concern* that asylum seekers, refugees and stateless persons are subject to arbitrary detention in numerous situations and encourages working towards the ending of this practice, welcomes the increasing use of

alternatives to detention, especially in the case of children, and emphasizes the need for States to limit detention of asylum seekers, refugees and stateless persons to that which is necessary, giving full consideration to possible alternatives;

28. *Notes with grave concern* the significant risks to which many refugees and asylum seekers are exposed as they attempt to reach safety, and encourages international cooperation to ensure adequate response mechanisms, including life-saving measures, reception, registration and assistance, as well as to ensure that safe and regular access to asylum for persons in need of international protection remains open and accessible;

29. *Expresses grave concern* at the large number of asylum seekers who have lost their lives at sea trying to reach safety, encourages international cooperation to further strengthen search and rescue mechanisms in accordance with international law, and commends the great life-saving efforts and actions taken by a number of States in this regard;

30. *Emphasizes* that the international protection of refugees is a dynamic and action-oriented function that is at the core of the mandate of the Office of the High Commissioner and that it includes, in cooperation with States and other partners, the promotion and facilitation of the admission, reception and treatment of refugees in accordance with internationally agreed standards and the ensuring of durable, protection-oriented solutions, bearing in mind the particular needs of vulnerable groups and paying special attention to those with specific needs, and notes in this context that the delivery of international protection is a staff-intensive service that requires adequate staff with the appropriate expertise, especially at the field level;

31. *Expresses deep concern* about the long-term impact of cuts in food rations on the health and well-being of refugees globally, particularly in Africa and the Middle East, and especially its impact on children, owing to insufficient funding and increased costs, and in this regard calls upon States to ensure sustained support for the Office of the High Commissioner and the World Food Programme, while looking to provide refugees with alternatives to food assistance, pending a durable solution;

32. *Welcomes* the positive steps taken by individual States to open their labour markets to refugees;

33. *Affirms* the importance of age, gender and diversity mainstreaming in analysing protection needs and ensuring the participation of refugees and other persons of concern to the Office of the High Commissioner, as appropriate, in the planning and implementation of programmes of the Office and of State policies, also affirms the importance of according priority to addressing discrimination, gender inequality and the problem of sexual and gender-based violence, recognizing the importance of addressing the protection needs of women, children and persons with disabilities in particular, and underlines the importance of continuing to work on those issues;

34. *Notes with concern* that a large proportion of the world's out-of-school population lives in conflict-affected areas, and welcomes the commitment in the New York Declaration to lend host countries support in providing quality primary and secondary education in safe learning environments for all refugee children, and

to do so within a few months of the initial displacement, as well as the commitment made in the Incheon Declaration[11] to developing more inclusive, responsive and resilient education systems to meet the needs of children, youth and adults in these contexts, including internally displaced persons and refugees;

35. *Notes* the efforts by the Office of the High Commissioner to improve its humanitarian assistance response, and stresses the importance of tailored, innovative approaches, including cash-based interventions;

36. *Also notes* that the lack of civil registration and related documentation makes persons vulnerable to statelessness and associated protection risks, recognizes that birth registration provides an official record of a child's legal identity and is crucial to preventing and reducing statelessness, and welcomes efforts by States to ensure the birth registration of children;

37. *Strongly reaffirms* the fundamental importance and the purely humanitarian and non-political character of the function of the Office of the High Commissioner of providing international protection to refugees and seeking durable solutions to refugee situations, and recalls that those solutions include voluntary repatriation and, where appropriate and feasible, local integration and resettlement in a third country, while reaffirming that voluntary repatriation, supported, as necessary, by rehabilitation and development assistance to facilitate sustainable reintegration, remains the preferred solution;

38. *Expresses concern* about the particular difficulties faced by the millions of refugees in protracted situations, recognizes that the average length of stay has continued to grow, and emphasizes the need to redouble international efforts and cooperation to find practical and comprehensive approaches to resolving their plight and to realize durable solutions for them, consistent with international law and relevant General Assembly resolutions;

39. *Recognizes* the importance of achieving durable solutions to refugee situations, and, in particular, the need to address in this process the root causes of refugee movements;

40. *Encourages* further efforts by the Office of the High Commissioner, in cooperation with countries hosting refugees and countries of origin, including their respective local communities, relevant United Nations agencies, international and intergovernmental organizations, regional organizations, as appropriate, non-governmental organizations and development actors, to actively promote durable solutions, particularly in protracted refugee situations, with a focus on sustainable, timely, voluntary, safe and dignified return, which encompasses repatriation, reintegration, rehabilitation and reconstruction activities, and encourages States and other relevant actors to continue to support these efforts through, inter alia, the allocation of funds;

41. *Expresses concern* about the current low level of voluntary repatriation, encourages the solution-oriented approach pursued by the Office of the High Commissioner to support the sustainability of voluntary repatriation and reintegration, including from the onset of displacement, and in this regard urges the

[11] Incheon Declaration: Education 2030: Towards inclusive and equitable quality education and lifelong learning for all.

Office to further strengthen partnerships with national Governments and development actors, as well as international financial institutions;

42. *Recognizes*, in the context of voluntary repatriation, the importance of resolute efforts in the country of origin, including rehabilitation and development assistance, to foster the voluntary, safe and dignified return and sustainable reintegration of refugees and to ensure the restoration of national protection;

43. *Acknowledges with appreciation* voluntary action taken by several host countries to enable permanent residence and naturalization for refugees and former refugees;

44. *Calls upon* States to create opportunities for resettlement as a durable solution, acknowledges with appreciation the many countries that continue to offer enhanced resettlement opportunities and recognizes the need to further increase the number of resettlement places and the number of countries with regular resettlement programmes and to improve the integration of resettled refugees, calls upon States to ensure inclusive and non-discriminatory policies in their resettlement programmes, and notes that resettlement is a strategic protection tool and solution for refugees, recalling in this regard the annual resettlement needs identified by the Office of the United Nations High Commissioner for Refugees;

45. *Also calls upon* States to consider creating, expanding or facilitating access to complementary and sustainable pathways to protection and solutions for refugees, in cooperation with relevant partners, including the private sector, where appropriate, including through humanitarian admission or transfer, family reunification, skilled migration, labour mobility schemes, scholarships and education mobility schemes;

46. *Notes with appreciation* the activities undertaken by States to strengthen the regional initiatives that facilitate cooperative policies and approaches on refugees, and encourages States to continue their efforts to address, in a comprehensive manner, the needs of the people who require international protection in their respective regions, including the support provided for host communities that receive large numbers of persons who require international protection;

47. *Notes* the importance of States and the Office of the High Commissioner discussing and clarifying the role of the Office in mixed migratory flows in order to better address protection needs in the context of mixed migratory flows, bearing in mind the particular needs of vulnerable groups, especially women, children and persons with disabilities, including by safeguarding access to asylum for those in need of international protection, and also notes the readiness of the High Commissioner, consistent with his mandate, to assist States in fulfilling their protection responsibilities in this regard;

48. *Emphasizes* the obligation of all States to accept the return of their nationals, calls upon States to facilitate the return of their nationals who have been determined not to be in need of international protection, and affirms the need for the return of persons to be undertaken in a safe and humane manner and with full respect for their human rights and dignity, irrespective of the status of the persons concerned;

49. *Expresses concern* about the challenges associated with climate change and environmental degradation to the operations of the Office of the High Commissioner and the assistance it provides to vulnerable populations of concern across the globe, particularly in the least developed countries, and urges the Office to continue to address such challenges in its work, within its mandate, and in consultation with national authorities and in cooperation with competent agencies in its operations;

50. *Urges* all States and relevant non-governmental and other organizations, in conjunction with the Office of the High Commissioner, in a spirit of international solidarity and burden- and responsibility-sharing, to cooperate and to mobilize resources, including through financial and in-kind assistance, as well as direct aid to host countries, refugee populations and the communities hosting them, with a view to enhancing the capacity of and reducing the heavy burden borne by countries and communities hosting refugees, in particular those that have received large numbers of refugees and asylum seekers, and whose generosity is appreciated;

51. *Calls upon* the Office of the High Commissioner to continue to play its catalytic role in mobilizing assistance from the international community to address the root causes as well as the economic, environmental, developmental, security and social impact of large-scale refugee populations in developing countries, in particular the least developed countries, and countries with economies in transition, and notes with appreciation those host countries, donor States, organizations and individuals that contribute to improving the condition of refugees through building the resilience of refugees and their host communities, while working towards a durable solution;

52. *Expresses concern* that the needs required to protect and assist persons of concern to the Office of the High Commissioner continue to increase and that the gap between global needs and available resources continues to grow, appreciates the continued and increasing hospitality of host countries and generosity of donors, and therefore calls upon the Office to continue and enhance efforts to broaden its donor base so as to achieve greater burden- and responsibility-sharing by reinforcing cooperation with governmental donors, non-governmental donors and the private sector;

53. *Recognizes* that adequate and timely resources are essential for the Office of the High Commissioner to continue to fulfil the mandate conferred upon it through its statute[12] and by subsequent General Assembly resolutions on refugees and other persons of concern, recalls its resolution 58/153 of 22 December 2003 and subsequent resolutions on the Office of the High Commissioner concerning, inter alia, the implementation of paragraph 20 of the statute of the Office, and urges Governments and other donors to respond promptly to annual and supplementary appeals issued by the Office for requirements under its programmes;

54. *Requests* the High Commissioner to report on his annual activities to the General Assembly at its seventy-second session.

[12] Resolution 428 (V), annex.

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Seventy-first session
Third Committee
Agenda item 66 (a)
Elimination of racism, racial discrimination, xenophobia and related intolerance

Bangladesh, Belarus, Bolivia (Plurinational State of), Burundi, China, Cuba, Democratic People's Republic of Korea, Eritrea, India, Kazakhstan, Myanmar, Nicaragua, Pakistan, Russian Federation, Sudan, Syrian Arab Republic, Tajikistan, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe: draft resolution

Combating glorification of Nazism, neo-Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenant on Civil and Political Rights,[2] the International Convention on the Elimination of All Forms of Racial Discrimination[3] and other relevant human rights instruments,

Recalling the provisions of Commission on Human Rights resolutions 2004/16 of 16 April 2004[4] and 2005/5 of 14 April 2005[5] and relevant Human Rights Council resolutions, in particular resolutions 7/34 of 28 March 2008,[6] 18/15 of 29 September 2011[7] and 21/33 of 28 September 2012,[8] as well as General Assembly resolutions

[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] United Nations, *Treaty Series*, vol. 660, No. 9464.
[4] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.
[5] Ibid., *2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.
[6] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. II.
[7] Ibid., *Sixty-sixth Session, Supplement No. 53A* and corrigendum (A/66/53/Add.1 and Corr.1), chap. II.
[8] Ibid., *Sixty-seventh Session, Supplement No. 53A* (A/67/53/Add.1), chap. II.

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60/143 of 16 December 2005, 61/147 of 19 December 2006, 62/142 of 18 December 2007, 63/162 of 18 December 2008, 64/147 of 18 December 2009, 65/199 of 21 December 2010, 66/143 of 19 December 2011, 67/154 of 20 December 2012, 68/150 of 18 December 2013, 69/160 of 18 December 2014 and 70/139 of 17 December 2015 on this issue, resolutions 61/149 of 19 December 2006, 62/220 of 22 December 2007, 63/242 of 24 December 2008, 64/148 of 18 December 2009, 65/240 of 24 December 2010, 66/144 of 19 December 2011, 67/155 of 20 December 2012, 68/151 of 18 December 2013 and 69/162 of 18 December 2014, and its resolution 70/140 of 17 December 2015, entitled "A global call for concrete action for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action",

Acknowledging other important initiatives of the General Assembly aimed at raising awareness about the suffering of victims of racism, racial discrimination, xenophobia and related intolerance, including in the historical perspective, in particular regarding commemoration of the victims of slavery and the transatlantic slave trade,

Recalling the Charter of the Nuremberg Tribunal and the Judgment of the Tribunal, which recognized as criminal, inter alia, the SS organization and all its integral parts, including the Waffen SS, through its officially accepted members implicated in or with knowledge of the commission of war crimes and crimes against humanity connected with the Second World War, as well as other relevant provisions of the Charter and the Judgment,

Recalling also the relevant provisions of the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001,[9] in particular paragraph 2 of the Declaration and paragraph 86 of the Programme of Action, as well as the relevant provisions of the outcome document of the Durban Review Conference of 24 April 2009,[10] in particular paragraphs 11 and 54,

Alarmed, in this regard, at the spread in many parts of the world of various extremist political parties, movements and groups, including neo-Nazis and skinhead groups, as well as racist extremist movements and ideologies,

Deeply concerned by all recent manifestations of violence and terrorism incited by violent nationalism, racism, xenophobia and related intolerance,

Recognizing with deep concern the alarming increase in instances of discrimination, intolerance and extremist violence motivated by anti-Semitism, Islamophobia and Christianophobia and prejudices against persons of other religions and beliefs,

Recalling that the seventy-first session of the General Assembly coincides with the seventieth anniversary of the Judgment of the Nuremberg Tribunal,

[9] See A/CONF.189/12 and Corr.1, chap. I.
[10] See A/CONF.211/8, chap. I.

Stressing that the victory over Nazism in the Second World War contributed to establishing the conditions for the creation of the United Nations, designed to prevent future wars and save succeeding generations from the scourge of war,

1. *Reaffirms* the relevant provisions of the Durban Declaration[9] and of the outcome document of the Durban Review Conference,[10] in which States condemned the persistence and resurgence of neo-Nazism, neo-Fascism and violent nationalist ideologies based on racial and national prejudice and stated that those phenomena could never be justified in any instance or in any circumstances;

2. *Takes note with appreciation* of the report of the Special Rapporteur of the Human Rights Council on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, prepared in accordance with the request contained in General Assembly resolution 70/139;[11]

3. *Expresses its appreciation* to the United Nations High Commissioner for Human Rights and his Office for their efforts to fight racism, racial discrimination, xenophobia and related intolerance, including the maintenance by the Office of the United Nations High Commissioner for Human Rights of a database on practical means to combat racism, racial discrimination, xenophobia and related intolerance;

4. *Expresses deep concern* about the glorification, in any form, of the Nazi movement, neo-Nazism and former members of the Waffen SS organization, including by erecting monuments and memorials and holding public demonstrations in the name of the glorification of the Nazi past, the Nazi movement and neo-Nazism, as well as by declaring or attempting to declare such members and those who fought against the anti-Hitler coalition and collaborated with the Nazi movement participants in national liberation movements;

5. *Urges* those States that have not yet done so to ratify the International Convention on the Elimination of All Forms of Racial Discrimination,[3] to ensure that their legislation incorporates the provisions of the Convention, including those of article 4, and to make the declaration under its article 14, thus providing the Committee on the Elimination of Racial Discrimination with the competence to receive and consider communications from individuals or groups of individuals within their jurisdiction claiming to be victims of a violation by a State party of any of the rights set forth in the Convention;

6. *Emphasizes once more* the recommendation of the Special Rapporteur that "any commemorative celebration of the Nazi regime, its allies and related organizations, whether official or unofficial, should be prohibited by States",[12] also emphasizes that such manifestations do injustice to the memory of the countless victims of the Second World War and negatively influence children and young people, and stresses in this regard that it is important that States take measures, in accordance with international human rights law, to counteract any celebration of the Nazi SS organization and all its integral parts, including the Waffen SS, and that failure by States to effectively address such practices is incompatible with the obligations of States Members of the United Nations under its Charter;

[11] A/71/325.

[12] Ibid., para. 68.

7. *Expresses concern* about recurring attempts to desecrate or demolish monuments erected in remembrance of those who fought against Nazism during the Second World War, as well as to unlawfully exhume or remove the remains of such persons, and in this regard urges States to fully comply with their relevant obligations, inter alia, under article 34 of Additional Protocol I to the Geneva Conventions of 1949;[13]

8. *Notes with concern* the increase in the number of racist incidents worldwide, including the rise of skinhead groups, which have been responsible for many of these incidents, as well as the resurgence of racist and xenophobic violence targeting, inter alia, persons belonging to national, ethnic, religious or linguistic minorities, including arson attacks on houses and vandalization of schools and places of worship;

9. *Reaffirms* that such acts may be qualified as falling within the scope of the Convention, that they may not be justified when they fall outside the scope of the rights to freedom of peaceful assembly and of association as well as the rights to freedom of expression and that they may fall within the scope of article 20 of the International Covenant on Civil and Political Rights[2] and may be subject to certain restrictions, as set out in articles 19, 21 and 22 of the Covenant;

10. *Encourages* States to take concrete measures, including legislative and educational measures, to prevent revisionism with respect to the Second World War and the denial of the Nazi crimes;

11. *Condemns without reservation* any denial of or attempt to deny the Holocaust, as well as any manifestation of religious intolerance, incitement, harassment or violence against persons or communities on the basis of ethnic origin or religious belief;

12. *Welcomes* the call of the Special Rapporteur for the active preservation of those Holocaust sites that served as Nazi death camps, concentration and forced labour camps and prisons, as well as his encouragement of States to take measures, including legislative, law enforcement and educational measures, to put an end to all forms of Holocaust denial;[14]

13. *Calls upon* States to continue to take adequate steps, including through national legislation, in accordance with international human rights law, aimed at the prevention of hate speech and incitement to violence against persons belonging to vulnerable groups;

14. *Expresses deep concern* about attempts at commercial advertising aimed at exploiting the sufferings of the victims of war crimes and crimes against humanity committed during the Second World War by the Nazi regime;

15. *Stresses* that the practices described above do injustice to the memory of the countless victims of crimes against humanity committed in the Second World War, in particular those committed by the SS organization and by those who fought against the anti-Hitler coalition and collaborated with the Nazi movement, and may negatively influence children and young people, and that failure by States to

[13] United Nations, *Treaty Series*, vol. 1125, No. 17512.

[14] A/71/325, para. 80.

effectively address such practices is incompatible with the obligations of States Members of the United Nations under its Charter, including those related to the purposes and principles of the Organization;

16. *Also stresses* that such practices fuel contemporary forms of racism, racial discrimination, xenophobia and related intolerance and contribute to the spread and multiplication of various extremist political parties, movements and groups, including neo-Nazis and skinhead groups, and in this regard calls for increased vigilance;

17. *Expresses concern* that the human rights and democratic challenges posed by extremist political parties, movements and groups are universal and no country is immune to them;

18. *Emphasizes* the need to take the measures necessary to put an end to the practices described above, and calls upon States and all other stakeholders to take more effective measures in accordance with international human rights law to combat those phenomena and extremist movements, which pose a real threat to democratic values, and to increase their vigilance and to be proactive in strengthening their efforts and political will to recognize and effectively address those challenges;

19. *Underlines* the need to collect disaggregated data and statistics on racist and xenophobic crimes in order to identify the types of offences committed, the characteristics of victims and of perpetrators and whether they are affiliated with extremist political parties, movements or groups, in order to enhance understanding of the phenomena and identify effective measures to be taken to address such crimes;

20. *Encourages* States to adopt further measures to provide training for the police and other law enforcement bodies on the ideologies of extremist political parties, movements and groups whose advocacy constitutes incitement to racist and xenophobic violence, to strengthen their capacity to address racist and xenophobic crimes, to fulfil their responsibility for bringing to justice the perpetrators of such crimes and to combat impunity;

21. *Expresses deep concern* about the increased number of seats occupied by representatives of extremist parties of a racist or xenophobic character in a number of national and local parliaments, and emphasizes in this regard the need for all democratic political parties to base their programmes and activities on respect for human rights and freedoms, democracy, the rule of law and good governance and to condemn all messages disseminating ideas that are based on racial superiority or hatred and that have the objective of fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance;

22. *Welcomes* in this regard the call of the Special Rapporteur on political leaders and parties to strongly condemn incitement to racial discrimination or xenophobia, to promote tolerance and respect and to refrain from forming coalitions with extremist parties of a racist or xenophobic character;[15]

[15] Ibid., para. 76.

23. *Expresses concern* that ethnic profiling and police violence against vulnerable groups discourage victims from seeking redress owing to distrust of the legal system, and in this regard encourages States to improve diversity within law enforcement agencies and to impose appropriate sanctions against those within the public service found guilty of racially motivated violence or of using hate speech;

24. *Expresses deep concern* about the increase in reported cases of racist manifestations during sports events, including those committed by extremist groups, including neo-Nazis and skinhead groups, and calls upon States, sports federations and other relevant stakeholders to strengthen measures to prevent such incidents, while also welcoming the steps that many States, sports federations and clubs have taken to eliminate racism at sporting events, including by practising sport without discrimination of any kind and in the Olympic spirit, which require human understanding, tolerance, fair play and solidarity;

25. *Recalls* the recommendation of the Special Rapporteur to introduce into national criminal law a provision according to which committing an offence with racist or xenophobic motivations or aims constitutes an aggravating circumstance, allowing for enhanced penalties,[16] and encourages those States whose legislation does not contain such provisions to consider that recommendation;

26. *Notes* measures taken by States to prevent discrimination against members of national, ethnic, religious and linguistic minorities, people of African descent, Roma, migrants, refugees and asylum seekers and to ensure their integration into society, urges States to ensure the full and effective implementation of legal, policy and institutional measures protecting these groups of individuals, and recommends that States effectively guarantee these groups, without discrimination of any kind, the right to security and access to justice, adequate reparation, legal aid and appropriate information about their rights, as well as the prosecution and adequate sanctioning of those responsible for racist crimes against them;

27. *Underlines* that the roots of extremism are multifaceted and must be addressed through adequate measures such as education, awareness-raising and the promotion of dialogue, and in this regard recommends the increase of measures to raise awareness among young people of the dangers of the ideologies and activities of extremist political parties, movements and groups;

28. *Reaffirms*, in this regard, the particular importance of all forms of education, including human rights education, as a complement to legislative measures, and calls upon States to continue to invest in education, in both conventional and non-conventional curricula, inter alia, in order to transform attitudes and counteract ideas of racial hierarchies and superiority, and counter their negative influence, and to promote the values of non-discrimination, equality and respect for all, as outlined by the Special Rapporteur;

29. *Emphasizes* the recommendation of the Special Rapporteur presented at the sixty-fourth session of the General Assembly, in which he emphasized the

[16] A/69/334, para. 81.

importance of history classes in teaching the dramatic events and human suffering which arose out of the adoption of ideologies such as Nazism and Fascism;[17]

30. *Stresses* the importance of other positive measures and initiatives aimed at bringing communities together and providing them with space for genuine dialogue, such as round tables, working groups and seminars, including training seminars for State agents and media professionals, as well as awareness-raising activities, especially those initiated by civil society representatives, which require continued State support;

31. *Underlines* the positive role that relevant United Nations entities and programmes, in particular the United Nations Educational, Scientific and Cultural Organization, can play in the aforementioned areas;

32. *Reaffirms* article 4 of the Convention, according to which States parties condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination and, to this end, with due regard to the principles embodied in the Universal Declaration of Human Rights[1] and the rights expressly set forth in article 5 of the Convention, inter alia:

(a) Shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, and incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;

(b) Shall declare illegal and prohibit organizations, and also organized and all other propaganda activities, which promote and incite racial discrimination, and shall recognize participation in such organizations or activities as an offence punishable by law;

(c) Shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination;

33. *Also reaffirms* that, as underlined in paragraph 13 of the outcome document of the Durban Review Conference, any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence should be prohibited by law, that all dissemination of ideas based on racial superiority or hatred, or incitement to racial discrimination, as well as all acts of violence or incitement to such acts, shall be declared offences punishable by law, in accordance with the international obligations of States, and that these prohibitions are consistent with freedom of opinion and expression;

34. *Recognizes* the positive role that the exercise of the right to freedom of opinion and expression, as well as full respect for the freedom to seek, receive and impart information, including through the Internet, can play in combating racism, racial discrimination, xenophobia and related intolerance;

[17] A/64/295, para. 104.

35. *Expresses concern* about the increased use of the Internet to promote and disseminate racism, racial hatred, xenophobia, racial discrimination and related intolerance, and in this regard calls upon States parties to the International Covenant on Civil and Political Rights to counter the dissemination of the above-mentioned ideas while respecting their obligations under articles 19 and 20 of the Covenant, which guarantee the right to freedom of expression and outline the grounds on which the exercise of this right can be legitimately restricted;

36. *Recognizes* the need to promote the use of new information and communications technologies, including the Internet, to contribute to the fight against racism, racial discrimination, xenophobia and related intolerance;

37. *Also recognizes* the positive role that the media can play in combating racism, racial discrimination, xenophobia and related intolerance, promoting a culture of tolerance and representing the diversity of a multicultural society;

38. *Encourages* States, civil society and other relevant stakeholders to use all opportunities, including those provided by the Internet and social media, to counter, in accordance with international human rights law, the dissemination of ideas based on racial superiority or hatred and to promote the values of equality, non-discrimination, diversity and democracy;

39. *Encourages* those States that have made reservations to article 4 of the Convention to give serious consideration to withdrawing such reservations as a matter of priority, as stressed by the Special Rapporteur;

40. *Notes* the importance of strengthening cooperation at the regional and international levels with the aim of countering all manifestations of racism, racial discrimination, xenophobia and related intolerance, in particular regarding issues raised in the present resolution;

41. *Stresses* the importance of cooperating closely with civil society and international and regional human rights mechanisms in order to counter effectively all manifestations of racism, racial discrimination, xenophobia and related intolerance, as well as extremist political parties, movements and groups, including neo-Nazis and skinhead groups, and other similar extremist ideological movements that incite racism, racial discrimination, xenophobia and related intolerance;

42. *Encourages* States to adopt the legislation necessary to combat racism while ensuring that the definition of racial discrimination set out therein complies with article 1 of the Convention;

43. *Also encourages* States to ensure, as appropriate, that their national specialized bodies and national action plans for the elimination of racism, racial discrimination, xenophobia and related intolerance monitor closely the phenomena of Nazism, neo-Nazism and Holocaust denial, such as commemorative celebrations of the Nazi regime, its allies and related organizations;

44. *Recalls* that any legislative or constitutional measures adopted with a view to countering extremist political parties, movements and groups, including neo-Nazis and skinhead groups and similar extremist ideological movements, should be in conformity with the relevant international human rights norms, in particular articles 4 and 5 of the Convention and articles 19 to 22 of the Covenant;

45. *Also recalls* the request of the Commission on Human Rights, in its resolution 2005/5,[5] that the Special Rapporteur continue to reflect on this issue, make relevant recommendations in his future reports and seek and take into account in this regard the views of Governments and non-governmental organizations;

46. *Encourages* States to consider including in their reports for the universal periodic review and their reports to relevant treaty bodies information on the steps taken to combat racism, racial discrimination, xenophobia and related intolerance, including with the aim of implementing the provisions of the present resolution;

47. *Requests* the Special Rapporteur to prepare, for submission to the General Assembly at its seventy-second session and to the Human Rights Council at its thirty-fifth session, reports on the implementation of the present resolution, in particular regarding paragraphs 4, 6, 7, 9, 14, 15, 29 and 30 above, based on the views collected in accordance with the request of the Commission, as recalled in paragraph 45 above;

48. *Expresses its appreciation* to those Governments and non-governmental organizations that have provided information to the Special Rapporteur in the course of the preparation of his reports to the General Assembly;

49. *Stresses* that such information is important for the sharing of experiences and best practices in the fight against extremist political parties, movements and groups, including neo-Nazis and skinhead groups, and other extremist ideological movements that incite racism, racial discrimination, xenophobia and related intolerance;

50. *Encourages* Governments and non-governmental organizations to cooperate fully with the Special Rapporteur in the exercise of the tasks outlined in paragraph 47 above;

51. *Encourages* Governments, non-governmental organizations and relevant actors to disseminate, as widely as possible, information regarding the contents of and the principles outlined in the present resolution, including through the media, but not limited to it;

52. *Decides* to remain seized of the issue.

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General Assembly

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Seventy-first session
Third Committee
Agenda item 63
Report of the Human Rights Council

Botswana:* draft resolution

Report of the Human Rights Council

The General Assembly,

Recalling its resolutions 60/251 of 15 March 2006, by which it established the Human Rights Council, and 65/281 of 17 June 2011 on the review of the Council,

Recalling also its resolutions 62/219 of 22 December 2007, 63/160 of 18 December 2008, 64/143 of 18 December 2009, 65/195 of 21 December 2010, 66/136 of 19 December 2011, 67/151 of 20 December 2012, 68/144 of 18 December 2013, 69/155 of 18 December 2014 and 70/136 of 17 December 2015,

Having considered the recommendations contained in the report of the Human Rights Council,[1,2]

1. *Takes note* of the report of the Human Rights Council,[1] including the addenda thereto,[2] and its recommendations;

2. *Decides* to defer consideration of and action on Human Rights Council resolution 32/2 of 30 June 2016[3] on protection against violence and discrimination based on sexual orientation and gender identity, in order to allow time for further consultations to determine the legal basis upon which the mandate of the special procedure established therein will be defined.

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* On behalf of the States Members of the United Nations that are members of the Group of African States.

[1] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 53* (A/71/53).

[2] Ibid., *Supplement No. 53* (A/71/53/Add.1 and Add.2).

[3] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 53* (A/71/53), chap. V, sect. A.

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Seventy-first session
Third Committee
Agenda item 66 (a)
Elimination of racism, racial discrimination, xenophobia and related intolerance

Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Cyprus, Georgia, Germany, Ireland, Jordan, Lithuania, Luxembourg, Panama, Slovenia, Spain, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

International Convention on the Elimination of All Forms of Racial Discrimination

The General Assembly,

Recalling its resolution 69/161 of 18 December 2014,

Recalling also its resolution 68/268 of 9 April 2014 on strengthening and enhancing the effective functioning of the human rights treaty body system,

1. *Welcomes* the report of the Secretary-General[1] on the status of the International Convention on the Elimination of All Forms of Racial Discrimination;[2]

2. *Welcomes* the reports of the Committee on the Elimination of Racial Discrimination on its eighty-fifth and eighty-sixth[3] and its eighty-seventh, eighty-eighth and eighty-ninth[4] sessions;

3. *Recalls* the fiftieth anniversary of the adoption of the Convention, and reiterates its call for the universal ratification and effective implementation of the Convention by all States parties to eliminate all forms of racial discrimination;

4. *Invites* the Chair of the Committee to present an oral report on the work of the Committee and to engage in an interactive dialogue with the General

[1] A/71/327.
[2] United Nations, *Treaty Series*, vol. 660, No. 9464.
[3] *Official Records of the General Assembly, Seventieth Session, Supplement No. 18* (A/70/18).
[4] Ibid., *Seventy-first Session, Supplement No. 18* (A/71/18).

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Assembly at its seventy-second and seventy-third sessions under the item entitled "Elimination of racism, racial discrimination, xenophobia and related intolerance";

5. *Decides* to consider, at its seventy-third session, under the item entitled "Elimination of racism, racial discrimination, xenophobia and related intolerance", the reports of the Committee on its ninetieth and ninety-first, its ninety-second, ninety-third and ninety-fourth and its ninety-fifth session;

6. *Requests* the Secretary-General to keep the General Assembly informed of the status of the International Convention on the Elimination of All Forms of Racial Discrimination, including with regard to all reservations and declarations made, through the United Nations websites.

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Seventy-first session
Third Committee
Agenda item 66 (b)
Elimination of racism, racial discrimination, xenophobia and related intolerance: comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Thailand:* draft resolution

A global call for concrete action for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

The General Assembly,

Recalling all its previous resolutions on the comprehensive follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action adopted by the World Conference,[1] and in this regard underlining the imperative need for their full and effective implementation,

Acknowledging the significance of 2016 as the fifteenth anniversary of the adoption of the Durban Declaration and Programme of Action, and calling upon States to honour the memory of victims of the historical injustices of slavery, the slave trade, including the transatlantic slave trade, colonialism and apartheid,

Stressing that the outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance has the same status as the outcomes of all the major United Nations conferences, summits and special sessions in the human rights and social fields, and that the Durban Declaration and Programme of Action remains a solid basis and the only instructive outcome of the World Conference, which prescribes comprehensive measures for combating all the scourges of racism and adequate remedies for victims,

* On behalf of the States Members of the United Nations that are members of the Group of 77 and China.

[1] See A/CONF.189/12 and Corr.1, chap. I.

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Recalling the three Decades for Action to Combat Racism and Racial Discrimination previously declared by the General Assembly, and regretting that the Programmes of Action for those Decades were not fully implemented and that their objectives have yet to be attained,

Reiterating that all human beings are born free and equal in dignity and rights and have the potential to contribute constructively to the development and well-being of their societies, and that any doctrine of racial superiority is scientifically false, morally condemnable, socially unjust and dangerous and must be rejected, together with theories that attempt to determine the existence of separate human races,

Underlining the intensity, magnitude and organized nature of slavery and the slave trade, including the transatlantic slave trade, and the associated historical injustices, as well as the untold suffering caused by colonialism and apartheid, and that Africans and people of African descent, Asians and people of Asian descent and indigenous peoples continue to be victims of the cascading effects of those legacies,

Acknowledging the efforts and initiatives undertaken by States to prohibit racial discrimination and racial segregation and to engender the full enjoyment of economic, social and cultural rights, as well as civil and political rights,

Emphasizing that, despite efforts in this regard, millions of human beings continue to be victims of racism, racial discrimination, xenophobia and related intolerance, including their contemporary forms and manifestations, some of which manifest in violent forms,

Welcoming the efforts made by civil society in support of the follow-up mechanisms in the implementation of the Durban Declaration and Programme of Action,

Recalling the appointment of the five independent eminent experts by the Secretary-General on 16 June 2003, pursuant to General Assembly resolution 56/266 of 27 March 2002, with the mandate to follow up on the implementation of the provisions of the Durban Declaration and Programme of Action and to make appropriate recommendations thereon, and in this regard commending the role played and still to be played by those independent eminent experts in mobilizing global political will for concrete action for the total elimination of all the scourges of racism, racial discrimination, xenophobia and related intolerance,

Underlining the primacy of the political will, international cooperation and adequate funding at the national, regional and international levels needed to address all forms and manifestations of racism, racial discrimination, xenophobia and related intolerance for the successful implementation of the Durban Declaration and Programme of Action,

Recalling its resolution 2142 (XXI) of 26 October 1966, in which it proclaimed 21 March as the International Day for the Elimination of Racial Discrimination,

Recalling also its resolution 62/122 of 17 December 2007, in which it designated 25 March as the annual International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade,

Welcoming, in the above context, the unveiling of the permanent memorial for the victims of slavery and the slave trade, including the transatlantic slave trade, *The Ark of Return*, on 25 March 2015,

Welcoming also the call upon all the former colonial Powers for reparations, consistent with paragraphs 157 and 158 of the Durban Programme of Action, to honour the victims of slavery and the slave trade, including the transatlantic slave trade,

Recalling the suffering of the victims of racism, racial discrimination, xenophobia and related intolerance, and the need to honour their memory,

Recognizing and affirming that the global fight against racism, racial discrimination, xenophobia and related intolerance and all their abhorrent and contemporary forms and manifestations is a matter of priority for the international community,

I
International Convention on the Elimination of All Forms of Racial Discrimination

1. *Reaffirms* the paramount importance of universal adherence to and the full and effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,[2] adopted by the General Assembly in its resolution 2106 A (XX) of 21 December 1965, in addressing the scourges of racism and racial discrimination;

2. *Calls upon* States that have not done so to consider acceding to and/or ratifying the Convention, and States parties to make the declaration under article 14 of the Convention, as well as withdraw reservations to article 4 of the Convention, as a matter of urgency, in view of the fact that article 4 constitutes a key provision of the Convention, as the continued maintenance of reservations negates the essence of the instrument and defeats its objects and purposes;

3. *Underlines*, in the above context, that the provisions of the Convention do not respond effectively to contemporary manifestations of racial discrimination, in particular in relation to xenophobia and related intolerance, which is recognized as the rationale behind the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in 2001;

4. *Takes note* of the acknowledgement by the Human Rights Council and its subsidiary structures of the existence of both procedural and substantive gaps in the aforementioned Convention, which must be filled as a matter of urgency, necessity and priority;

5. *Expresses its grave concern* at the lack of progress in the elaboration of complementary standards to the Convention to fill existing gaps through the development of new normative standards aimed at combating all forms of contemporary and resurgent scourges of racism, and in this regard calls upon the Chairperson-Rapporteur of the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards to the International Convention on the

[2] United Nations, *Treaty Series*, vol. 660, No. 9464.

Elimination of all Forms of Racial Discrimination to ensure the commencement of the negotiations on the draft additional protocol to the Convention criminalizing acts of a racist and xenophobic nature;

6. *Requests* the Chairperson-Rapporteur of the Ad Hoc Committee on the Elaboration of Complementary Standards to present a progress report to the General Assembly at its seventy-second session;

II
International Decade for People of African Descent

7. *Welcomes* the proclamation of the International Decade for People of African Descent, as contained in its resolution 68/237 of 23 December 2013, and the celebratory launch of the Decade on 10 December 2014;

8. *Recalls* its resolution 69/16 of 18 November 2014 on the programme of activities for the implementation of the International Decade for People of African Descent, in which it decided to establish a forum on people of African descent in the diaspora;

9. *Takes note* of the reports of the Secretary-General on the programme of activities for the implementation of the International Decade for People of African Descent[3] and on a global call for concrete action for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action;[4]

10. *Also takes note* of the report of the Working Group of Experts on People of African Descent,[5] requests the Human Rights Council, through the Chair of the Working Group, to continue to submit its report on the work of the Working Group to the General Assembly, and in this regard invites the Chair of the Working Group to engage in an interactive dialogue with the Assembly under the item entitled "Elimination of racism, racial discrimination, xenophobia and related intolerance" at its seventy-second session;

III
Office of the United Nations High Commissioner for Human Rights

11. *Welcomes* the positive response by the Office of the United Nations High Commissioner for Human Rights to the requests made by the Human Rights Council, in its resolution 6/22 of 28 September 2007,[6] and by the General Assembly, in its resolution 68/151 of 18 December 2013, to realign the work and the name of the former Anti-Discrimination Unit in the Office of the High Commissioner, and also welcomes its renaming as the Anti Racial Discrimination Section and the realignment of its operational activities to focus exclusively on racism, racial

[3] A/71/290.
[4] A/71/399.
[5] A/71/297.
[6] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. I, sect. A.

discrimination, xenophobia and related intolerance, as defined in paragraphs 1 and 2 of the Durban Declaration;[1]

12. *Also welcomes* the inclusion of the historic and landmark World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance of 2001 among the 20 major achievements of the Office of the High Commissioner since the adoption of the Vienna Declaration and Programme of Action in 1993;[7]

13. *Requests* the Office of the High Commissioner to develop a racial equality index aimed at measuring, in a concrete and tangible manner, the performance of States in promoting substantive equality and the attainment of inclusive societies, and in this regard encourages the Office to optimally utilize all available information from the Committee on the Elimination of Racial Discrimination and other relevant treaty bodies and the accepted relevant universal periodic review recommendations, as well as those of the relevant special procedures and mechanisms of the Human Rights Council and regional bodies, on the situation of people of African descent in terms of their socioeconomic development and the extent and level of their participation in decision-making, particularly in those decisions that have an impact on their lives;

14. *Requests* the Secretary-General and the Office of the High Commissioner to provide the resources necessary for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent, the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action and the Ad Hoc Committee on the Elaboration of Complementary Standards;

IV
Group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action

15. *Reiterates its requests* to the Secretary-General, pursuant to its resolution 68/151, to revitalize and reactivate the operational activities of the group of independent eminent experts and in this regard to ensure the full functionality of the group by filling the existing vacancies at the latest by the end of March 2017 in accordance with its resolution 56/266;

16. *Reiterates its invitation* to the Human Rights Council, pursuant to paragraph 16 of General Assembly resolution 68/151, to ensure the visibility, effective participation and optimal utilization of the vast knowledge and experience of the group of independent eminent experts within its subsidiary structures, charged with the mandate of and responsibility for the comprehensive follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action,[1] and in this regard requests the Council to submit a progress report to the Assembly at its seventy-second session;

[7] A/CONF.157/24 (Part I), chap. III.

V
Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination

17. *Recalls* the establishment by the Secretary-General, in 1973, of the Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination as a funding mechanism that has been utilized for the implementation of the activities of the three Decades for Action to Combat Racism and Racial Discrimination declared by the General Assembly, and in this regard appreciates the fact that the Trust Fund has also been utilized for the subsequent programmes and operational activities transcending the three Decades;

18. *Requests* the Secretary-General to reactivate and revitalize the Trust Fund prior to the thirty-fifth session of the Human Rights Council for the purpose of ensuring the successful implementation of the activities of the International Decade for People of African Descent and beyond;

19. *Also requests* the Secretary-General to include, in his report on the implementation of the present resolution to the General Assembly at its seventy-second session, a section outlining the progress in the implementation of paragraph 18 of its resolution 68/151 regarding the revitalization of the Trust Fund for the purpose of ensuring the successful implementation of the activities of the International Decade for People of African Descent and enhancing the effectiveness of the comprehensive follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action;

20. *Strongly appeals* to all Governments, intergovernmental and non-governmental organizations and individuals as well as other donors in a position to do so to contribute generously to the Trust Fund, and to that end requests the Secretary-General to continue to undertake appropriate contacts and initiatives to encourage contributions;

VI
Special Rapporteur of the Human Rights Council on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

21. *Takes note* of the report of the Special Rapporteur of the Human Rights Council on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,[8] and encourages the Special Rapporteur, within his mandate, to continue to focus on the issues of racism, racial discrimination, xenophobia and related intolerance and incitement to hatred, which impede peaceful coexistence and harmony within societies, and to submit reports in this regard to the Human Rights Council and the General Assembly;

22. *Reiterates its invitation* to the Special Rapporteur to consider examining national models of mechanisms that measure racial equality and their added value in the eradication of racial discrimination and to report on challenges, successes and best practices in his next report, and expresses its concern at the lack of action taken in this regard;

[8] A/71/325.

VII
Follow-up and implementation activities

23. *Requests* the Human Rights Council to develop and adopt, at its thirty-fourth session, a multi-year programme of activities, with the support of the Office of the High Commissioner, to provide for the renewed and strengthened outreach activities needed to inform and mobilize the global public in support of the Durban Declaration and Programme of Action and to strengthen awareness of the contribution that they have made in the struggle against racism, racial discrimination, xenophobia and related intolerance;

24. *Welcomes* the commemorative plenary meeting of the General Assembly held on 18 March 2016 to mark the International Day for the Elimination of Racial Discrimination, on the theme "Challenges and achievements of the Durban Declaration and Programme of Action: 15 years after";

25. *Requests* the Secretary-General to submit to the General Assembly at its seventy- second session a report on the implementation of the present resolution;

26. *Deplores* the ongoing and resurgent scourges of racism, racial discrimination, xenophobia and related intolerance in many regions of the world, particularly targeting migrants and refugees, as well as people of African descent, expresses concern that political leaders and parties have supported such an environment, and, within that context, also expresses concern for the plight of migrants and refugees in the context of the severe discrimination they face;

27. *Requests* the President of the General Assembly and the President of the Human Rights Council to continue convening annual commemorative meetings of the Assembly and the Council during the commemoration of the International Day for the Elimination of Racial Discrimination, with the appropriate focus and themes, and to hold a debate on racial profiling and incitement to hatred, including in the context of migration, with the participation of the Secretary-General and the United Nations High Commissioner for Human Rights, and in this context encourages the participation of eminent personalities active in the struggle against racial discrimination, Member States and civil society organizations in accordance with the respective rules of procedure of the Assembly and the Council;

28. *Decides* to remain seized of this priority matter at its seventy-second session under the item entitled "Elimination of racism, racial discrimination, xenophobia and related intolerance".

United Nations A/C.3/71/L.49

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Seventy-first session
Third Committee
Agenda item 67
Right of peoples to self-determination

Algeria, Armenia, Azerbaijan, Bahrain, Belarus, Bolivia (Plurinational State of), China, El Salvador, Eritrea, Guinea, Iran (Islamic Republic of), Jordan, Kuwait, Lebanon, Liberia, Malaysia, Namibia, Oman, Pakistan, Russian Federation, Saudi Arabia, Sudan, Tajikistan, Thailand, United Arab Emirates, Viet Nam and Zimbabwe: draft resolution

Universal realization of the right of peoples to self determination

The General Assembly,

Reaffirming the importance, for the effective guarantee and observance of human rights, of the universal realization of the right of peoples to self-determination enshrined in the Charter of the United Nations and embodied in the International Covenants on Human Rights,[1] as well as in the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in its resolution 1514 (XV) of 14 December 1960,

Welcoming the progressive exercise of the right to self-determination by peoples under colonial, foreign or alien occupation and their emergence into sovereign statehood and independence,

Deeply concerned at the continuation of acts or threats of foreign military intervention and occupation that are threatening to suppress, or have already suppressed, the right to self-determination of peoples and nations,

Expressing grave concern that, as a consequence of the persistence of such actions, millions of people have been or are being uprooted from their homes as refugees and displaced persons, and emphasizing the urgent need for concerted international action to alleviate their condition,

Recalling the relevant resolutions regarding the violation of the right of peoples to self-determination and other human rights as a result of foreign military

[1] Resolution 2200 A (XXI), annex.

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intervention, aggression and occupation adopted by the Commission on Human Rights at its sixty-first[2] and previous sessions,

Reaffirming its previous resolutions on the universal realization of the right of peoples to self-determination, including resolution of 17 December 2015

Reaffirming also its resolution 55/2 of 8 September 2000, containing the United Nations Millennium Declaration, and recalling its resolution 60/1 of 16 September 2005, containing the 2005 World Summit Outcome, which, inter alia, upheld the right to self-determination of peoples under colonial domination and foreign occupation,

Taking note of the report of the Secretary-General on the right of peoples to self-determination,[3]

1. *Reaffirms* that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;

2. *Declares its firm opposition* to acts of foreign military intervention, aggression and occupation, since these have resulted in the suppression of the right of peoples to self-determination and other human rights in certain parts of the world;

3. *Calls upon* those States responsible to cease immediately their military intervention in and occupation of foreign countries and territories and all acts of repression, discrimination, exploitation and maltreatment, in particular the brutal and inhuman methods reportedly employed in the execution of those acts against the peoples concerned;

4. *Deplores* the plight of millions of refugees and displaced persons who have been uprooted as a result of the aforementioned acts, and reaffirms their right to return to their homes voluntarily in safety and with honour;

5. *Requests* the Human Rights Council to continue to give special attention to violations of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation;

6. *Requests* the Secretary-General to report on this question to the General Assembly at its seventy-second session under the item entitled "Right of peoples to self-determination".

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[2] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

[3] A/71/326.

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Seventy-first session
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Agenda item 67
Right of peoples to self-determination

Algeria, Armenia, Belarus, Benin, Bolivia (Plurinational State of), Bulgaria, China, Democratic People's Republic of Korea, Egypt, El Salvador, Eritrea, Gambia, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Mauritania, Morocco, Namibia, Nicaragua, Oman, Portugal, Saudi Arabia, Senegal, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Uzbekistan, Viet Nam and Yemen: draft resolution

The right of the Palestinian people to self-determination

The General Assembly,

Aware that the development of friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, is among the purposes and principles of the United Nations, as defined in the Charter,

Recalling, in this regard, its resolution 2625 (XXV) of 24 October 1970, entitled "Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations",

Bearing in mind the International Covenants on Human Rights,[1] the Universal Declaration of Human Rights,[2] the Declaration on the Granting of Independence to Colonial Countries and Peoples[3] and the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights on 25 June 1993,[4]

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[5]

[1] Resolution 2200 A (XXI), annex.
[2] Resolution 217 A (III).
[3] Resolution 1514 (XV).
[4] A/CONF.157/24 (Part I), chap. III.
[5] Resolution 50/6.

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Recalling also the United Nations Millennium Declaration,[6]

Recalling further the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,[7] and noting in particular the reply of the Court, including on the right of peoples to self-determination, which is a right *erga omnes*,[8]

Recalling the conclusion of the Court, in its advisory opinion of 9 July 2004, that the construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, along with measures previously taken, severely impedes the right of the Palestinian people to self-determination,[9]

Stressing the urgency of achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides, based on the relevant resolutions of the United Nations, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative[10] and the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[11]

Stressing also the need for respect for and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem, and recalling in this regard its resolution 58/292 of 6 May 2004,

Recalling its resolution 70/141 of 17 December 2015,

Recalling also its resolution 67/19 of 29 November 2012,

Affirming the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Reaffirms* the right of the Palestinian people to self-determination, including the right to their independent State of Palestine;

2. *Urges* all States and the specialized agencies and organizations of the United Nations system to continue to support and assist the Palestinian people in the early realization of their right to self-determination.

[6] Resolution 55/2.
[7] See A/ES-10/273 and Corr.1.
[8] Ibid., advisory opinion, para. 88.
[9] Ibid., para. 122.
[10] A/56/1026-S/2002/932, annex II, resolution 14/221.
[11] S/2003/529, annex.

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Seventy-first session
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Agenda item 60
Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Botswana:* draft resolution

Assistance to refugees, returnees and displaced persons in Africa

The General Assembly,

Recalling the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969[1] and the African Charter on Human and Peoples' Rights,[2]

Reaffirming that the 1951 Convention relating to the Status of Refugees,[3] together with the 1967 Protocol thereto,[4] as complemented by the Organization of African Unity Convention of 1969, remains the foundation of the international refugee protection regime in Africa,

Welcoming the entry into force on 6 December 2012 and the ongoing process of ratification of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, which mark a significant step towards strengthening the national and regional normative frameworks for the protection of and assistance to internally displaced persons,

Recognizing the particular vulnerability of women and children among refugees and displaced persons, including exposure to discrimination and sexual and physical abuse, violence and exploitation and the recruitment and use of children by parties to armed conflict in violation of applicable international law, and in this regard acknowledging the importance of preventing, responding to and addressing

* On behalf of the States Members of the United Nations that are members of the Group of African States.

[1] United Nations, *Treaty Series*, vol. 1001, No. 14691.

[2] Ibid., vol. 1520, No. 26363.

[3] Ibid., vol. 189, No. 2545.

[4] Ibid., vol. 606, No. 8791.

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sexual and gender-based violence as well as violations and abuses committed against refugee, returnee and displaced children,

Gravely concerned about the rising number of refugees and displaced persons in various parts of the continent,

Acknowledging the efforts of Member States, the United Nations High Commissioner for Refugees and other stakeholders in improving the situation of refugees,

Expressing grave concern about funding gaps in responding to various refugee situations in different parts of Africa, which are a major factor leading to the deterioration in living conditions in many refugee camps in Africa,

Recognizing that refugees, internally displaced persons and, in particular, women and children are at an increased risk of exposure to HIV and AIDS, malaria and other infectious diseases,

Recalling the high-level segment on the theme "Enhancing international cooperation, solidarity, local capacities and humanitarian action for refugees in Africa" of the sixty-fifth session of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees, held in Geneva from 29 September to 3 October 2014, and the statement adopted on 30 September 2014 by States members of the Executive Committee,[5] and expressing deep concern that this particular event has not mobilized the necessary support for refugees and their hosting countries and communities,

Welcoming the hosting of the regional ministerial meeting on the Global Initiative on Somali Refugees, held in Addis Ababa on 20 August 2014, endorsing the Addis Ababa Commitment towards Somali Refugees adopted during the ministerial meeting, and welcoming the pledging conference, held in Brussels on 21 October 2015, to mobilize the support and resources needed to achieve solutions for Somali refugees through the creation of conditions conducive to safe and dignified returns as well as the enhancement of the sustainable integration of displaced persons,

Recalling the Pact on Security, Stability and Development in the Great Lakes Region, adopted by the International Conference on the Great Lakes Region in 2006, and its instruments, in particular two of the protocols to the Pact which are relevant to the protection of displaced persons, namely, the Protocol on the Protection of and Assistance to Internally Displaced Persons and the Protocol on the Property Rights of Returning Persons,

Acknowledging with appreciation the generosity, hospitality and spirit of solidarity of African States that, despite their limited resources, continue to host a large number of refugees owing to the humanitarian crises and protracted refugee situations, and in this regard expressing particular appreciation for the commitment and efforts of neighbouring countries in the recent humanitarian crises on the continent, welcoming efforts by African States that endeavour to facilitate the voluntary repatriation, local integration, resettlement and rehabilitation of refugees

[5] *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 12A* (A/69/12/Add.1), annex I.

and to promote conditions conducive to the voluntary return and sustainable reintegration of refugees in their country of origin, and also acknowledging with appreciation the coordination of humanitarian assistance by the United Nations as well as the continuing efforts of donors, the United Nations system, including the Office of the United Nations High Commissioner for Refugees, regional organizations, international agencies, non-governmental organizations and other partners, with regard to, inter alia, integration, voluntary return, reintegration and resettlement, in addressing the plight of refugees during emergencies,

Recognizing that host States have the primary responsibility for the protection of and assistance to refugees on their territory and the need to redouble efforts to develop and implement comprehensive durable solution strategies, in appropriate cooperation with the international community, and burden- and responsibility-sharing, and recognizing also the efforts of all States in this regard,

Emphasizing that States have the primary responsibility to provide protection and assistance to internally displaced persons within their jurisdiction, as well as to address the root causes of the displacement problem, in appropriate cooperation with the international community,

Recognizing the need to expand resettlement opportunities,

Recognizing also the need to encourage increased efforts towards voluntary return and local integration,

Welcoming the ongoing implementation of pledges made by States at the intergovernmental ministerial event held in 2011 to mark the sixtieth anniversary of the 1951 Convention relating to the Status of Refugees and the fiftieth anniversary of the 1961 Convention on the Reduction of Statelessness,[6]

1. *Takes note* of the reports of the Secretary-General[7] and the United Nations High Commissioner for Refugees;[8]

2. *Calls upon* African States that have not yet signed or ratified the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa to consider doing so as early as possible in order to ensure its wider implementation;

3. *Notes* the need for African States to address resolutely the root causes of all forms of forced displacement in Africa and to foster peace, stability and prosperity throughout the African continent so as to forestall flows of refugees;

4. *Notes with great concern* that, despite all the efforts made so far by the United Nations, the African Union and others, the situation of refugees and displaced persons in Africa remains precarious and the number of refugees and internally displaced persons has dramatically increased, and calls upon States and other parties to armed conflict to observe scrupulously the letter and spirit of international humanitarian law, bearing in mind that armed conflict is one of the principal causes of forced displacement in Africa;

[6] United Nations, *Treaty Series*, vol. 989, No. 14458.

[7] A/71/354.

[8] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 12* (A/71/12).

5. *Welcomes* decisions EX.CL/Dec.854 (XXVI) and EX.CL/Dec.877 (XXVII) adopted by the Executive Council of the African Union at its twenty-sixth ordinary session, held in Addis Ababa from 23 to 27 January 2015, and at its twenty-seventh ordinary session, held in Johannesburg, South Africa, from 7 to 12 June 2015, on the humanitarian situation in Africa, insofar as they relate to persons of concern to the Office of the United Nations High Commissioner for Refugees;

6. *Expresses its appreciation* for the leadership shown by the Office of the High Commissioner, and commends the Office for its ongoing efforts, with the support of the international community, to assist African States hosting large numbers of refugees, including by providing support to vulnerable local host communities, and to respond to the protection and assistance needs of refugees, returnees and displaced persons in Africa;

7. *Notes with appreciation* the initiatives taken by the African Union, the Subcommittee on Refugees, Returnees and Internally Displaced Persons of its Permanent Representatives Committee and the African Commission on Human and Peoples' Rights, in particular the role of its Special Rapporteur on Refugees, Asylum Seekers, Migrants and Internally Displaced Persons in Africa, to ensure the protection of and assistance to refugees, returnees and displaced persons in Africa;

8. *Acknowledges* the important contribution of age, gender and diversity mainstreaming in identifying, through a participatory approach, the protection risks faced by the different members of the refugee communities, in particular the non-discriminatory treatment and protection of women, children, persons with disabilities and the elderly;

9. *Affirms* that children, because of their age, social status and physical and mental development, are often more vulnerable than adults in situations of forced displacement, recognizes that forced displacement, return to post-conflict situations, integration into new societies, protracted situations of displacement and statelessness can increase child protection risks, taking into account the particular vulnerability of displaced children to forcible exposure to the risks of physical and psychological injury, exploitation and death in connection with armed conflict, as well as the recruitment and use of children by parties to armed conflict in violation of applicable international law, and acknowledges that wider environmental factors and individual risk factors, particularly when combined, may generate different protection needs;

10. *Recognizes* that no solution to displacement can be durable unless it is sustainable, and therefore encourages the Office of the High Commissioner to support the sustainability of voluntary return, reintegration and resettlement;

11. *Welcomes* the adoption of the conclusion on civil registration by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees at its sixty-fourth session, held in Geneva from 30 September to 4 October 2013,[9] and recognizes the importance of early registration and effective registration systems and censuses as a tool of protection and as a means to the

[9] Ibid., *Sixty-eighth Session, Supplement No. 12A* (A/68/12/Add.1), chap. III, sect. A.

quantification and assessment of needs for the provision and distribution of humanitarian assistance and to implement appropriate durable solutions;

12. *Recalls* the conclusion on registration of refugees and asylum seekers adopted by the Executive Committee of the Programme of the High Commissioner at its fifty-second session,[10] notes the many forms of harassment faced by refugees and asylum seekers who remain without any form of documentation attesting to their status, recalls the responsibility of States to register refugees on their territories and, as appropriate, the responsibility of the Office of the High Commissioner or mandated international bodies to do so, reiterates in this context the central role that early and effective registration and documentation can play, guided by protection considerations, in enhancing protection and supporting efforts to find durable solutions, and calls upon the Office, as appropriate, to help States to conduct this procedure should they be unable to register refugees on their territory;

13. *Calls upon* the international community, including States and the Office of the High Commissioner and other relevant United Nations organizations, within their respective mandates, to take concrete action to meet the protection and assistance needs of refugees, returnees and displaced persons and to contribute generously to projects and programmes aimed at alleviating their plight, facilitating durable solutions and supporting vulnerable local host communities;

14. *Reaffirms* the importance of timely and adequate assistance and protection for refugees, returnees and displaced persons, also reaffirms that assistance and protection are mutually reinforcing and that inadequate material assistance and food shortages undermine protection, notes the importance of a rights- and community-based approach in engaging constructively with individual refugees, returnees and displaced persons and their communities so as to achieve fair and equitable access to food and other forms of material assistance, and expresses concern with regard to situations in which minimum standards of assistance are not met, including those in which adequate needs assessments have yet to be undertaken;

15. *Also reaffirms* that respect by States for their protection responsibilities towards refugees is strengthened by international solidarity involving all members of the international community and that the refugee protection regime is enhanced through committed international cooperation in a spirit of solidarity and burden- and responsibility-sharing among all States;

16. *Further reaffirms* that host States have the primary responsibility to ensure the civilian and humanitarian character of asylum, calls upon States, in cooperation with international organizations, within their mandates, to take all measures necessary to ensure respect for the principles of refugee protection and, in particular, to ensure that the civilian and humanitarian nature of refugee camps is not compromised by the presence or the activities of armed elements or used for purposes that are incompatible with their civilian character, and encourages the High Commissioner to continue efforts, in consultation with States and other relevant actors, to ensure the civilian and humanitarian character of camps;

[10] Ibid., *Fifty-sixth Session, Supplement No. 12A* (A/56/12/Add.1), chap. III, sect. B.

17. *Condemns* all acts that pose a threat to the personal security and well-being of refugees and asylum seekers, such as refoulement, unlawful expulsion and physical attacks, calls upon States of refuge, in cooperation with international organizations, where appropriate, to take all measures necessary to ensure respect for the principles of refugee protection, including the humane treatment of asylum seekers, notes with interest that the High Commissioner has continued to take steps to encourage the development of measures to better ensure the civilian and humanitarian character of asylum, and encourages the High Commissioner to continue those efforts, in consultation with States and other relevant actors;

18. *Deplores* the continuing violence and insecurity, which constitute an ongoing threat to the safety and security of staff members of the Office of the High Commissioner and other humanitarian organizations and an obstacle to the effective fulfilment of the mandate of the Office and the ability of its implementing partners and other humanitarian personnel to discharge their respective humanitarian functions, urges States, parties to conflict and all other relevant actors to take all measures necessary to protect activities related to humanitarian assistance, prevent attacks on and kidnapping of national and international humanitarian workers and ensure the safety and security of the personnel and property of the Office and that of all humanitarian organizations discharging functions mandated by the Office, and calls upon States to investigate fully any crime committed against humanitarian personnel and bring to justice the persons responsible for such crimes;

19. *Calls upon* the Office of the High Commissioner, the African Union, subregional organizations and all African States, in conjunction with agencies of the United Nations system, intergovernmental and non-governmental organizations and the international community, to strengthen and revitalize existing partnerships and forge new ones in support of the protection system for refugees, asylum seekers and internally displaced persons, and encourages African States that have not yet done so to consider ratifying and enforcing the Convention on the Safety of United Nations and Associated Personnel;[11]

20. *Calls upon* the Office of the High Commissioner, the international community and other entities concerned to continue and, where appropriate, to intensify their support to African Governments through appropriate capacity-building activities, including training of relevant officers, disseminating information about refugee instruments and principles, providing financial, technical, legal and advisory services to accelerate the enactment or amendment and implementation of legislation relating to refugees, strengthening emergency response and enhancing capacities for the coordination of humanitarian activities, in particular those Governments that have received large numbers of refugees and asylum seekers;

21. *Reaffirms* the right of return and the principle of voluntary repatriation, appeals to countries of origin and countries of asylum to create conditions that are conducive to voluntary repatriation, and recognizes that, while voluntary repatriation remains the pre-eminent solution, local integration and third-country resettlement, where appropriate and feasible, are also viable options for dealing with the situation of African refugees who, owing to prevailing circumstances in their respective countries of origin, are unable to return home;

[11] United Nations, *Treaty Series*, vol. 2051, No. 35457.

22. *Also reaffirms* that voluntary repatriation should not necessarily be conditioned on the accomplishment of political solutions in the country of origin in order not to impede the exercise of the refugees' right to return, recognizes that the voluntary repatriation and reintegration process is normally guided by the conditions in the country of origin, in particular that voluntary repatriation can be accomplished in conditions of safety and dignity, and urges the High Commissioner to promote sustainable return through the development of durable and lasting solutions, particularly in protracted refugee situations;

23. *Calls upon* the international donor community to provide financial and material assistance that allows for the implementation of community-based development programmes that benefit both refugees and host communities, as appropriate, in agreement with host countries and consistent with humanitarian objectives;

24. *Appeals* to the international community to respond positively, in the spirit of solidarity and burden- and responsibility-sharing, to the third-country resettlement needs of African refugees, notes in this regard the importance of using resettlement strategically, as part of situation-specific comprehensive responses to refugee situations, and to this end encourages States, the Office of the High Commissioner and other relevant partners to make full use of the Multilateral Framework of Understandings on Resettlement, where appropriate and feasible;

25. *Expresses serious concern* about the expected reduction of the budget allocated to provide humanitarian assistance to refugees and internally displaced persons in Africa in 2016 and 2017;

26. *Calls upon* the international donor community to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure affected by refugees in countries of asylum as well as internally displaced persons, where appropriate;

27. *Urges* the international community, in the spirit of international solidarity and burden-sharing, to continue to fund generously the refugee programmes of the Office of the High Commissioner and, taking into account the substantially increased needs of programmes in Africa, inter alia, as a result of repatriation possibilities, to ensure that Africa receives a fair and equitable share of the resources designated for refugees;

28. *Encourages* the Office of the High Commissioner and interested States to identify protracted refugee situations which might lend themselves to resolution through the development of specific, multilateral, comprehensive and practical approaches to resolving such refugee situations, including the improvement of international burden- and responsibility-sharing and the realization of durable solutions, within a multilateral context, and recalls that those solutions include voluntary repatriation and, where appropriate and feasible, local integration and resettlement in a third country, while reaffirming that voluntary repatriation, supported, as necessary, by rehabilitation and development assistance to facilitate sustainable reintegration, remains the preferred solution;

29. *Expresses grave concern* about the plight of internally displaced persons in Africa, notes the efforts of African States in strengthening the regional mechanisms for the protection of and assistance to internally displaced persons,

calls upon States to take concrete action to pre-empt internal displacement and to meet the protection and assistance needs of internally displaced persons, recalls in that regard the Guiding Principles on Internal Displacement,[12] notes the current activities of the Office of the High Commissioner related to the protection of and assistance to internally displaced persons, including in the context of inter-agency arrangements in this field, emphasizes that such activities should be consistent with relevant General Assembly resolutions and should not undermine the refugee mandate of the Office and the institution of asylum, and encourages the High Commissioner to continue his dialogue with States on the role of his Office in this regard;

30. *Encourages* African States, together with development and humanitarian actors, to work closely on multi-year strategies for refugees and internally displaced persons;

31. *Invites* the Special Rapporteur of the Human Rights Council on the human rights of internally displaced persons to continue his ongoing dialogue with Member States and the intergovernmental and non-governmental organizations concerned, in accordance with his mandate, and to include information thereon in his reports to the Council and the General Assembly;

32. *Requests* the Secretary-General to submit a comprehensive report on assistance to refugees, returnees and displaced persons in Africa to the General Assembly at its seventy-second session, taking fully into account the efforts expended by countries of asylum, under the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions".

[12] E/CN.4/1998/53/Add.2, annex.

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Agenda item 63

Report of the Human Rights Council

Albania, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Panama, Portugal, Republic of Korea, Republic of Moldova, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay: amendment to draft resolution A/C.3/71/L.46

Report of the Human Rights Council

Delete operative paragraph 2

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Seventy-first session

Third Committee

Agenda item 68 (b)

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Uzbekistan:* amendment to draft resolution A/C.3/71/L.38

Extrajudicial, summary or arbitrary executions

Amend operative paragraph 6 (b) to read:

(b) To ensure the effective protection of the right to life of all persons, to conduct, when required by obligations under international law, prompt, exhaustive and impartial investigations into all killings, including those targeted at specific groups of persons and killings committed for discriminatory reasons on any basis whatsoever, to bring those responsible to justice before a competent, independent and impartial judiciary at the national or, where appropriate, international level and to ensure that such killings, including those committed by security forces, police and law enforcement agents, paramilitary groups or private forces, are neither condoned nor sanctioned by State officials or personnel;

* On behalf of the States Members of the United Nations that are members of the Organization of Islamic Cooperation.

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Agenda item 68 (b)

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Bahrain, Bangladesh, Botswana, China, Egypt, Lao People's Democratic Republic, Oman, Pakistan, Papua New Guinea, Qatar, Saint Vincent and the Grenadines, Saudi Arabia, Singapore and United Arab Emirates: amendment to draft resolution A/C.3/71/L.27

Moratorium on the use of the death penalty

Before operative paragraph 1, insert a new operative paragraph, reading:

Reaffirms the sovereign right of all countries to develop their own legal systems, including determining appropriate legal penalties, in accordance with their international law obligations,

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